

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERNIE HIMES,

Plaintiff,

-v-

EMI APRIL MUSIC INC., *et al.*,

Defendants.

20-CV-3535 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Having reviewed the parties' letters concerning the scheduling of depositions (*see* Dkt. Nos. 111, 112, 113), the Court hereby orders that:

- *all* parties shall schedule mutually agreeable dates for the depositions of Himes, Mosley, Carter, and nonparty Hacker by the Case Management Plan's deadline of December 17, 2021 (*see* Dkt. No. 88);
- all depositions shall take place remotely, unless the parties and the deponent consent to a deposition in person; and
- the deposition of Carter shall be no more than three hours, in light of the declaration that he submitted (*see* Dkt. No. 113-1), and the recording of the deposition shall be treated as confidential and subject to protective order.

The Court also denies Defendants' request that the depositions of Himes and Hacker precede the depositions of Mosley and Carter.

The Clerk of Court is directed to close the motion at Docket Number 110.

SO ORDERED.

Dated: October 27, 2021
New York, New York


J. PAUL OETKEN
United States District Judge